IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2254 OF 2004

Padmavati Chaubey & anr. ..Petitioners.

Vs.

Municipal Corporation of Greater Mumbai
& Ors. ..Respondents.

....

Mr. Mihir Desai for the petitioner.
Ms. N.V. Sanglikar for the respondents.

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**CORAM : DALVEER BHANDARI, C.J.&**
**DR.D.Y.CHANDRACHUD, J,**

16th August, 2004.

P.C. :

1. The petition is directed against the advertisement issued for the General Nursing Course. In the advertisement issued on 7th June, 2004 in the Indian Express the eligibility criteria has been given. The relevant portion reads thus :

> "(1) The candidate must have passed Higher Secondary School Certificate Examination (10 + 2) of the Maharashtra State Board of Higher Secondary Education or an equivalent Examination preferably with science subjects (P.C.B.) from any recognised institution in Maharashtra State and should have secured minimum 45 per cent of marks. However, in case of Backward Class candidate, he should have secured

minimum 35 per cent of marks in this examination.

Provided if the candidates with the above requisite qualifications are not available in sufficient numbers then the candidates who have passed XIIth Standard (10 + 2) Examination of the Maharashtra State Board of Higher Secondary Education in any subjects or/and any stream and have secured minimum 45 per cent marks in case of Open Category candidates and minimum 35 per cent in case of Backward Class candidates shall be considered for admission subject to the condition that they have passed Xth Standard Examination from Maharashtra State Board of Secondary Examination or an equivalent examination with English and Biology and/or General Science from Maharashtra."

2. We have heard counsel for the parties. Perused the reply affidavit. We find no infirmity in the advertisement issued by the respondent Municipal Corporation regarding the General Nursing Course. The petition being devoid of any merit, is accordingly dismissed.

CHIEF JUSTICE

DR.D.Y.CHANDRACHUD, J.